

REMARKS

The Office Action mailed February 14, 2007 has been received and its contents carefully considered. Reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the foregoing amendments and the following remarks.

ELECTION RESTRICTION AND PENDING CLAIMS

Initially, Applicant requests examination of all the claims that were originally listed as being in Group I, i.e., claims 1-15, 21, and 23-29. In the election of species requirement made on November 6, 2006, page 4 indicated that if claims drawn to the loading/unloading system are elected (this is Group I, the elected group), that an election be made between species 1 shown in FIG. 17, and species 2 shown in FIG. 18. Applicant in this regard was seeking examination of FIGS. 1-17. Therefore, Applicant earnestly requests that in the next Action the Examiner consider and treat each of the pending claims 1-15, 21, and 23-29, as now amended.

CLAIM REJECTIONS AND AMENDMENTS

Accordingly, claims 1-15, 21 and 23-29 are presented for consideration. Claims 2, 6, 10, 11, 16-20, 22, and 30-60 have been canceled either by this Amendment or previously.

The Office Action indicated a number of rejections to various claims for indefiniteness. In response, the claims have been carefully reviewed and amended, taking into account each of the items identified in the Office Action. It is believed that by virtue of these amendments, the identified language has been modified in a suitable fashion. Accordingly, each of the points raised in the Office Action is not addressed individually in these remarks. However, the following remarks are submitted in an effort to fully address all of the issues raised.

The Office Action questioned whether Applicant is intending to claim a sub-combination of a system or a combination including the system and a cargo hold. In this regard, it is Applicant's intention that the claim be interpreted to read on the sub-combination, that is, the system. Accordingly, the language relating to the cargo hold and various aspects of the cargo hold are intended to be construed as environment in which the system can work. This environment is recited because it gives a frame of reference by which the various movements, operations and arrangements of the system can be understood. It is believed that the preamble when read with these remarks sufficiently indicates that it is the sub-combination that is being claimed. However, if the Examiner has any suggestions regarding modification to the preamble, such suggestions would be entertained.

Turning next to the rejection under §102, it is noted that independent claims 1 and 21, as well as the dependent claims that were considered, were rejected as being anticipated by U.S. Patent 3, 356,236 to Shaw. Without necessarily conceding the propriety of this rejection, claims 1 and 21 have been amended to include the subject matter formerly recited in dependent claims 2, 6, 10 and 11, which have been canceled.

With respect to the Shaw reference, it is respectfully submitted that this reference relates to loading and unloading containers of pallets and freight goods palletized on pallets (see column 1, lines 42-45), and thus is quite distinct and non-analogous from the presently claimed system which deals with loading and unloading of loose cargo. Further to this distinction, it is also respectfully submitted that the combination of features from claims 2, 6, 10 and 11, which are now added to claim 1, are further not taught nor suggested together by the Shaw reference.

CONCLUSION

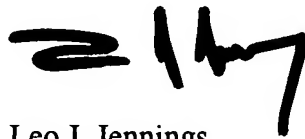
In view of the foregoing, reconsideration and allowance of the application are believed in order, and such action is earnestly solicited.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned attorney at (202) 861-1696.

No fee is believed necessary for the submission of this Amendment. However, if any fee is due, the Commissioner is authorized to charge Deposit Account 50-2036, referencing attorney docket 77191.21900.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Leo J. Jennings', is written over the printed name.

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